



# City of NORFOLK

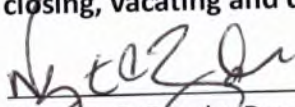
C: Dir., Department of City Planning

To the Honorable Council  
City of Norfolk, Virginia

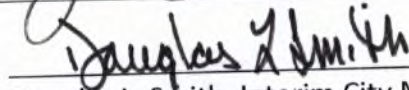
January 24, 2017

From: George M. Homewood, FAICP CFM, Planning Director

Subject: **The closing, vacating and discontinuing of a portion of Cleveland Street**

Reviewed:   
Wynter C. Benda, Deputy City Manager

Ward/Superward: 4/7

Approved:   
Douglas L. Smith, Interim City Manager

Item Number: **PH-2**

- I. **Staff Recommendation:** Approval
- II. **Commission Action:** By a vote of **6 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Street closure for a portion of Cleveland Street from the western line of Abilene Avenue westwardly 150.00± feet.
- IV. **Applicant:** Deborah M. Forehand
- V. **Description:**
  - The right-of-way to be closed is located in the Easton Forrest neighborhood which is developed in this area with single family residences.
  - The adjacent property owners are seeking to close the right-of-way to extend and improve their yards.
  - Appropriate utility easements and adjustments related to the proposed closure have been made with Verizon.
  - No fees have been charged for this street closure since it creates no new buildable lots.
- VI. Staff point of contact: Jeffrey Raliski at 664-4766, [jeffrey.raliski@norfolk.gov](mailto:jeffrey.raliski@norfolk.gov)

Attachments:

- Ordinance
- Staff Report to CPC dated December 8, 2016 with attachments
- Proponents and Opponents

**Planning Commission Public Hearing: December 8, 2016**

Executive Secretary: George M. Homewood, FAICP, CFM *GH*

Staff: Jeffrey K. Raliski, AICP *JR*

Staff Report	Item No. 9	
Applicant	Deborah M. Forehand	
Request	Street Closure of a Portion of Cleveland Street	
Site Characteristics	Zoning	R-6 (Single Family)
	Neighborhood	Easton Forrest
	Character District	Suburban
Surrounding Area	North	R-6: Single Family Residential
	East	R-6: Single Family Residential
	South	R-6: Single Family Residential
	West	R-6: Vacant





**A. Summary of Request**

- The applicant proposes to close that portion of Cleveland Street from the western line of Abilene Avenue westwardly 150.00± feet.
- The right-of-way to be closed is located in the Easton Forrest neighborhood which is developed in this area with single family residences.
- The adjacent property owners are seeking to close the right-of-way to extend and improve their yards.
- Appropriate utility easements and adjustments related to the proposed closure have been made with Verizon.

**B. Financial Impact**

- No fees have been charged for this street closure since it creates no new buildable lots.
- The addition of the right-of-way to the adjacent parcel should positively impact the value of this property.

**C. Impact on Surrounding Area/Site**

- The right-of-way proposed for closure is not an identified existing or planned pedestrian or bicycle route in Norfolk plans.
- Closure of this right-of-way will not create additional traffic in the Easton Forest community.

**D. Historic Context and Impacts**

The site is currently vacant and not located in any local, state or federal historic district.

**E. Public School Impacts**

This site is located in the Fairlawn Elementary School, Lake Taylor Middle School, and Booker T. Washington High School Attendance Zones.

**F. Civic League**

Notice was sent to the Easton Forrest Civic League President on October 26.

**G. Community Outreach/Notification**

- Legal notice on the property was posted on November 1.
- Letters were mailed to all property owners within 300 feet of the property on November 23.
- Legal notification was placed in *The Virginian-Pilot* on November 24 and December 1.

**H. Recommendation**

Staff recommends that the proposed closure of a portion of Cleveland Street be **approved**.

**Attachments**

- Location Map
- Zoning Map
- Application

- Notice to the Easton Forrest Civic League

**Proponents**

Deborah M. Forehand  
145 Abilene Avenue  
Norfolk, VA 23502

Howard Forehand  
145 Abilene Avenue  
Norfolk, VA 23502

Wayne Lassiter  
120 Abilene Avenue  
Norfolk, VA 23502

Suzanne Duncan  
133 Abilene Avenue  
Norfolk, VA 23502

**Opponents**

None



Form and Correctness Approved:

By

Office of the City Attorney

Contents Approved:

By

DEPT. Planning

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE CLOSING, VACATING AND  
DISCONTINUING A PORTION OF CLEVELAND STREET  
FROM THE WESTERN LINE OF ABILENE AVENUE.

- - -

WHEREAS, pursuant to the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, the City Council has the authority to close, vacate and discontinue public rights of way; and

WHEREAS, applications have been received for the closure of a portion of Cleveland Street from the western line of Abilene Avenue, as described in Exhibit A and shown on Exhibit B, attached hereto and made a part of this ordinance; and

WHEREAS, all abutting property owners have been notified of the application and are in agreement that the said portion of Cleveland Street should be closed, vacated, and discontinued; and

WHEREAS, after a public hearing, the City Planning Commission recommended that the said portion of Cleveland Street be closed, vacated and discontinued; and

WHEREAS, the requirements of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Sections 42-212 and 42-213 of the Norfolk City Code, 1979, which relate to the vacation

of public rights of way, have been met; and

WHEREAS, it is the judgment of the Council that the said portion of Cleveland Street is not needed for public use and travel, that the closure will alleviate undue public maintenance responsibilities and will increase real estate tax revenues, and therefore, the portion of Cleveland Street should be closed, vacated and discontinued as a public street of the City of Norfolk without the need for compensation to the City, in accordance with City policy; now, therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the portion of Cleveland Street from the western line of Abilene Avenue, as more particularly described in Exhibit A and shown on Exhibit B attached hereto, are closed, vacated and discontinued as a public street of the City of Norfolk, contingent upon the satisfaction of the following condition: Confirmation by Verizon that satisfactory arrangements have been made with respect to its facilities located in the right of way of Cleveland Street.

Section 2:- That the requirements for payment for the City's interest in the portion of the street to be closed in Section 42-212 of the Norfolk City Code, 1979, are hereby waived.

Section 3:- That this ordinance shall be in effect from and after the date of its adoption.

## **EXHIBIT A TO ORDINANCE**

### **Closure of portion of Cleveland Street**

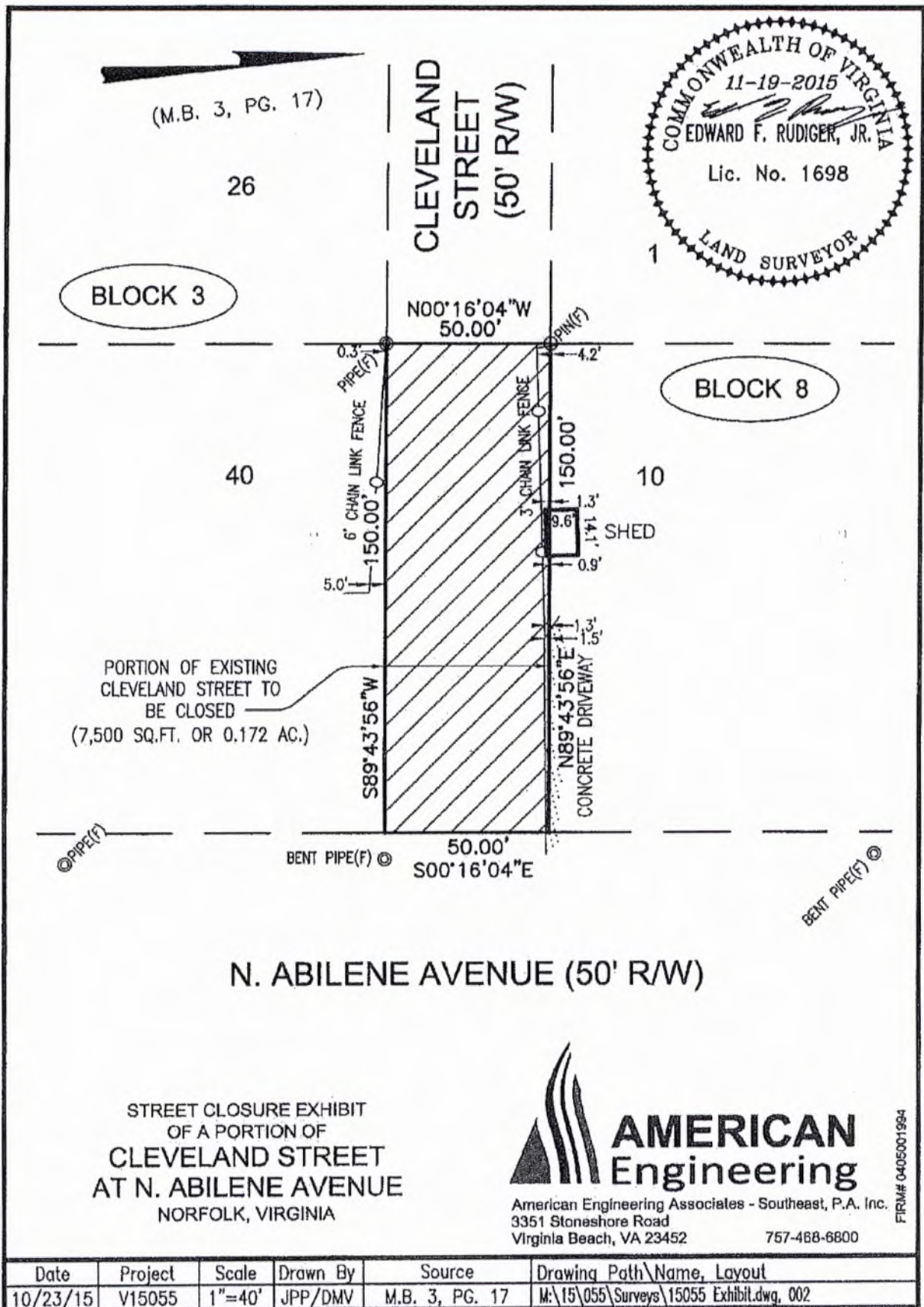
A rectangular-shaped lot, piece or parcel of land situate, lying and being in the City of Norfolk, Virginia, said parcel being a portion of Cleveland Street lying west of the western line of Abilene Avenue and being further described as follows: BEGINNING at a point that is the intersection of the northern line of Cleveland Street and the western line of Abilene Avenue; thence, from the point of beginning thus described, being shown on an exhibit entitled, "Street Closure Exhibit of a Portion of Cleveland Street at N. Abilene Avenue," dated June 3, 2015, S 06°-18'-00" W, 50.00 feet, more or less, to a point on the western line of Abilene Avenue and the southern line of Cleveland Street; thence, S 83°-42'-00" W, 150.00 feet, more or less, to a point on said southern line of Cleveland Street; thence, N 06°-18'-00" W, 50.00 feet, more or less, to the northern line of Cleveland Street; thence, N 83°-42'-00" E, 150.00 feet, more or less, along the northern line Cleveland Street to the point of beginning.

The above-described parcel contains 0.172 acre of land, more or less.

*July 30, 2015*



# EXHIBIT B TO ORDINANCE





Location Map

DEBORAH FOREHAND

N ABILENE AVENUE

0 5 10 20  
Feet





**Zoning Map**

**DEBORAH FOREHAND** (marked with a red star at the intersection of Amarillo Avenue and N Abilene Avenue)

**Streets:** BRISTOL AVENUE, AMARILLO AVENUE, N ABILENE AVENUE, MISCELLANEOUS STREET, HOUSTON AVENUE

**Zoning Districts:** R-6, C-2, R-10

**Parcel Numbers:** 225, 231, 208, 202, 220, 243, 230, 216, 214, 212, 210, 208, 206, 204, 202, 200, 171, 163, 161, 159, 155, 145, 168, 166, 164, 162, 160, 154, 144, 6170, 6200, 136, 135, 134, 131, 126, 125, 120, 115, 112, 106, 140, 138, 136, 134, 132, 130, 128, 124, 122, 120, 118, 116, 114, 112, 135, 129, 123, 115, 136, 128, 120, 114, 133, 127, 121, 113

**Scale:** 0 25 50 100 Feet

**North Arrow:** N



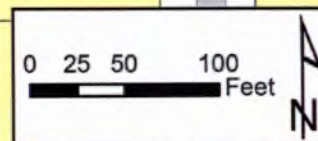
112

## MISCELLANEOUS STREET

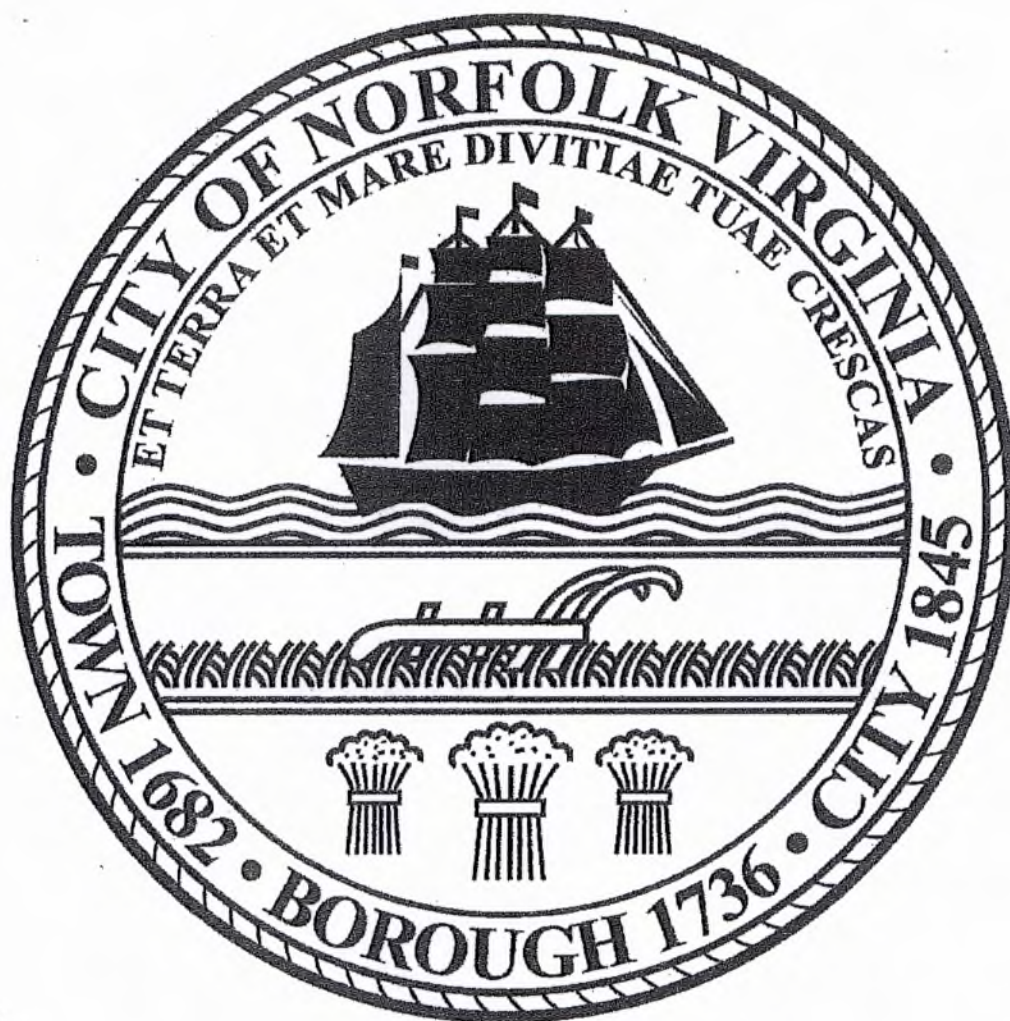
AMARILLO AVENUE

N<sup>7</sup>ABILENE AVENUE

HOUSTON AVENUE







**CITY OF NORFOLK  
PLANNING COMMISSION**

**DEPARTMENT OF PLANNING &  
COMMUNITY DEVELOPMENT**

City of Norfolk City Hall  
810 Union Street, 5th Floor, Room 508  
Norfolk, VA 23510  
Phone (757) 664-4752 Fax (757) 664-1569  
[www.norfolk.gov/planning](http://www.norfolk.gov/planning)

**STREET CLOSURE APPLICATION**





## Application Procedures

1. A pre-application meeting is required. To arrange for an appointment, please call Jeff Ralski at 664-4766.
2. Submit completed application with all required attachments including **house plat or survey** (\*see attached example), **title search** of portion of the street proposed for closure, and a check made payable to the City of Norfolk (see fee schedule). An **appraisal** may be required; this will be determined during the pre-application meeting. If an appraisal of the right-of-way is required, the appraisal must be conducted by an **MAI appraiser** (a list of credentialed appraisers will be provided to you).
3. Staff will review the application to determine its completeness and feasibility of the requested closure. Staff **will not** accept an incomplete application.
4. Once the completed application is received, staff will submit request to all Utility providers to determine if any easements are required (this will take approximately one month).
5. Upon receipt of notification of any necessary easements, street closure requests will be placed on the next possible Planning Commission agenda.
6. Applicant must contact appropriate Civic League **prior to the public hearing**. Applicant must provide staff with written documentation of the outcome of that meeting/discussion prior to the public hearing.
7. Staff will post a legal notice of the application request and photograph subject property.
8. The Planning Commission will visit the site on the 2nd Wednesday of the month (it is not necessary for the applicant to be present).
9. Applicant or representative **must** attend public hearing:  
Where: City Hall Building  
11th Floor, Council Chambers  
Time: 2:30 p.m.
8. The Planning Commission will make a recommendation on the application at their hearing; this recommendation will be forwarded to City Council.
9. Prior to the request being forwarded to City Council, the City Attorney's office prepares the ordinance. Applicant will be required to provide the City Attorney the following:
  - Easement agreements for any existing City or utilities
  - Purchase price as determined by the City Assessor (if applicable)
  - Fee for advertising City Council public hearing (approximately \$500.00)
10. Applicant may contact staff two (2) weeks after the hearing to obtain a tentative Council date (the City Manager's Office establishes the contents of Council's agenda).
11. The street closure request will appear on Council's agenda twice—the 1st time Council will vote on a hearing date, and the 2nd time will be the hearing.

# STREET CLOSURE APPLICATION

### DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT ZONING SERVICES

City of Norfolk City Hall, 5th Floor, Room 508  
(757) 664-4752 / (757) 664-1569 (FAX)  
[www.norfolk.gov/planning](http://www.norfolk.gov/planning)





**Application for City Planning Commission Public Hearing**  
**STREET CLOSURE**

Street Closure Fee.....Treasurer, City of Norfolk \$105

Date of application: 7-27-15

**Name of Applicant or Adjacent Property Owner:**

(Last) FOREHAND (MI) M (First) DEBORAH

Mailing address (Street/P.O. Box): 145 ABILENE AVENUE

(City) NORFOLK (State) VA (Zip Code) 23502

Daytime telephone (757) 478-7585 Fax ( ) N/A Email debbyfe@cox.net

Email address of applicant: debbyf@cox.net

**Name of Representative (if different from Applicant):**

(Last) \_\_\_\_\_ (MI) \_\_\_\_\_ (First) \_\_\_\_\_

Mailing address (Street/P.O. Box): \_\_\_\_\_

(City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip Code) \_\_\_\_\_

Daytime telephone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_ Email \_\_\_\_\_

**Description of Property (List street name and location of closure request):**

(Street Name) Cleveland Street

(Location of closure request) BETWEEN 133 and 145 ABILENE AVENUE

NORFOLK, VA 23502

**DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2013)



**Street Closure Application**

Page 2

(Zoning) \_\_\_\_\_

(Land Area in acres or square feet) 7500 sq. ft.

Please describe the reason for requesting the closure:

HIGH PEDESTRIAN TRAFFICList each **adjacent property owner** (print owner name and address) with signature of consent for the closure request. Use additional paper if needed:

Property Owner:	<u>HOWARD C. FOREHAND JR</u>	<u>[Signature]</u>
	Print Name	Signature
	Address: <u>145 ABILENE AVE.</u>	
Property Owner:	<u>DEBORAH M. FOREHAND</u>	<u>[Signature]</u>
	Print Name	Signature
	Address: <u>145 ABILENE AVE.</u>	
Property Owner:	<u>ARCHIBALD M. DUNCAN</u>	<u>[Signature]</u>
	Print Name	Signature
	Address: <u>133 ABILENE AVE.</u>	
Property Owner:	<u>Suzanne Duncan</u>	<u>[Signature]</u>
	Print Name	Signature
	Address: <u>133 ABILENE AVE.</u>	
Property Owner:	<u>/</u>	<u>/</u>
	Print Name	Signature
	Address:	
Property Owner:	<u>/</u>	<u>/</u>
	Print Name	Signature
	Address:	

**CIVIC LEAGUE INFORMATION**Civic League contact: Stephen Lewis, (757) 652-2611, Stephen.lewis65@gmail.com

Date(s) contacted: \_\_\_\_\_

Ward/Super Ward information: Paul Riddick, WARD 4  
Angelia Williams, Super Ward**REQUIRED ATTACHMENTS**

- ✓ Check for \$105.00 made payable to: Treasurer, City of Norfolk.
- ✓ Two 8½ x14 inch copies of house plat or survey showing portion of right of way requested to be closed.
- ✓ Title Search of right-of-way to be closed.
- ✓ Appraisal of right-of-way to be closed, *conducted by MAI appraiser, if necessary.*

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(Revised July, 2013)

**Street Closure Application**  
**Page 3**

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**CERTIFICATION:**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

**SIGNED:**

*Deborah M. Lockard*

(Applicant, adjacent property owner or authorized agent signature)

*7-27-15*

(Date)

**SIGNED:**

(Representative signature, as applicable)

*/ /*  
(Date)

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810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2013)

## Raliski, Jeffrey

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**From:** McDonald, Colette  
**Sent:** Wednesday, October 26, 2016 10:30 AM  
**To:** dematchen@aol.com  
**Cc:** Riddick, Paul; Graves, Angelia; Raliski, Jeffrey; Goldin, Jamie  
**Subject:** New City Planning Commission Application - Closure of a portion of Cleveland Street  
**Attachments:** Application.pdf

Ms. Matchen,

Attached please find an application from **DEBORAH FOREHAND**, for a street closure of that portion of Cleveland Street from the western line of Abilene Avenue westwardly 150 feet, more or less.

*Staff contact: Jeff Raliski at (757) 664-4766, [jeffrey.raliski@norfolk.gov](mailto:jeffrey.raliski@norfolk.gov)*

The item is tentatively scheduled for the December 8<sup>th</sup>, 2016 Planning Commission public hearing.

Thank you,

Colette McDonald  
City of Norfolk Planning Technician

  
Planning Department  
810 Union Street | Suite 508  
Norfolk, VA 23510  
Email | [Colette.McDonald@Norfolk.gov](mailto:Colette.McDonald@Norfolk.gov)  
Phone | (757) 664-6771